

20). ISSUE: SAFETY

National Council on Fireworks Safety - "Firework Safety"

This thirty-second Public Service Announcement stresses the importance of having adult supervision when setting off fireworks. The PSA. shows children enjoying a backyard fireworks display, but only when there are adults around. Safety tips such as having a bucket of water around are stressed. Everyone is urged to read all the labels and follow all the safety precautions before proceeding to use the fireworks.

News to You - "Smart Dummies"

WTVE-TV51 post-produced this three-minute Public Service segment that features the Indianapolis 500 automobile race and how this even furnishes valuable information for designers and engineers to incorporate safety features for consumer cars and trucks. The footage was furnished by General Motors Corporation, in conjunction with National Television News, Inc. Also, a thirty-second PSA. on the crash dummies, Larry and Vince, who are smarter than they look because they wear seat belts.

U.S. Department of Transportation - "Unanswered Questions"

WTVE-TV51 aired this thirty-second Public Service Announcement sponsored by the U.S. Department of Transportation in conjunction with the National Highway Traffic Safety Administration. The PSA., entitled "Unanswered Questions", warns about the consequences of driving too fast in general, specifically in residential areas.

"Keystone Safety Belt Network"

This award-winning, thirty-second Public Service Announcement, produced by WTVE-TV51, promotes the benefit of wearing seat belts to save lives. A State Trooper approaches the site of an overturned car and talks about the accidents he's responded to, and how seat belts have helped to save lives - if they'd been worn. The PSA. urges motorists to wear seat belts, it's the law.

"House Number"

This PSA from the Burn Foundation tells our audience about the importance of having your house number in clear view of anyone looking for your house. If your house was on fire or you had an emergency, house numbers could save your life.

"Fire Safety"

This PSA features Reggie Jackson explaining how safe always meant getting to the base, now it means how to protect your house from fire. He shows the audience how to install a smoke detector, plan escape routes and place valuables in safes. He encourages another way to plan it safe.

"Grandfather"

Operation Life Saver is a nationwide public information and education program dedicated to reducing crashes, injuries and fatalities at highway-rail intersection. The spokesperson Michael Gross explains the importance of look, listen and live.

News To You - "Children And Auto Safety"

Despite the fact that every state has a child passenger safety law, automobile accidents are still the number one cause of death and disabling injuries to children. Safety officials say that one of the reasons is loopholes in the law. Andrew McGuire, Executive Director of Advocates for Highway and Auto Safety, wants to alert governors and other important legislators in order to eliminate a preventable cause to the nation's most important resources. Forty-three states have gaps in the laws that don't require standard safety belt features for infants and toddlers.

21). ISSUE: VETERAN'S CONCERNS

"Driving"

Eastern Paralyzed Veterans Association member of Paralyzed Veterans of America. This PSA is to help prevent vehicle accidents by suggesting that drivers buckle up and don't drink and drive. Ten thousand Americans become paralyzed each year most from accidents associated with cars.



WTVE • Reading Broadcasting, Inc.

This is to certify that WTVE-TV51 aired the following Public Service Announcement at the following dates & times:

Title: Firework Safety

Length: :30

6/25/93	7/10/93
15:24:18 PM	04:21:22 AM
	08:48:05 AM

6/26/93	7/11/93
01:44:47 AM	04:24:00
07:56:01 AM	

6/27/93
01:56:00 AM

6/28/93
01:22:59 AM
15:21:25 PM

6/29/93
02:23:37 AM

6/30/93
03:25:51 AM
15:25:04 PM

7/1/93
02:22:55 AM

7/2/93
03:22:24 AM
15:27:56 PM

7/3/93
04:24:00 AM
08:46:48 AM

7/4/93
04:23:30 AM
08:47:15 AM
08:58:18 AM

7/5/93
03:25:01 AM
15:25:21 PM

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WTVE • Reading Broadcasting, Inc.

This is to certify that WTVE-TV51 aired the following Public Service Announcement at the below dates and times:

Title: Fire Safety Length: 30

05/06/93	05/17/93	05/28/93	06/01/93	02:45:22P	06/24/93
04:23:21A	02:23:28A	04:23:22A	04:23:22A	10:54:45P	04:56:10A
10:25:57P	11:22:37P				12:54:26P
		05/29/93	06/02/93	06/13/93	
05/07/93	05/18/93	02:21:51A	02:23:05A	01:48:00A	06/25/93
01:56:28A	05:17:47A			02:52:00P	04:22:38A
	11L24L56P	05/30/93	06/03/93	10:47:25P	07:47:11P
05/08/93		02:23:53A	00:18:17A	06/14/93	06/26/93
00:23:30A	05/19/93		06/04/93	03:21:09A	03:25:27A
05:54:00P	05:22:36A	05/31/93	02:25:21A	03:24:10P	
05/09/93	05/20/93	04:22:13A		06/15/93	06/27/93
00:22:30A	01:24:32A		06/05/93	03:25:50A	03:22:44A
05:54:00A			02:21:30A	03:23:50P	06/28/93
	05/21/93		06/06/93	06/16/93	04:23:54A
05/10/93	04:23:04A		02:21:30A	02:24:11A	07:56:11P
01:53:53A	09:21:35P			10:51:25A	
05/11/93	05/22/93		06/07/93		06/29/93
04:26:13A	01:51:00A		02:25:10A	06/17/93	11:52:03P
				02:23:55A	
05/12/93	05/23/93		06/08/93		06/30/93
02:21:28A	01:51:00A		00:24:26A	06/18/93	04:50:50A
11:25:27P			06:24:01A	04:22:32A	
	05/24/93				
05/13/93	04:24:24A		06/09/93	06/19/93	
04:23:45A			04:28:33A	07:25:50P	
	05/25/93		07:51:42P		
05/14/93	01:25:54A			06/20/93	
02:22:42A	05:56:26A		06/10/93	07:23:00P	
11:21:56P			03:25:53A		
	05/26/93			06/22/93	
05/15/93	05:56:24A		06/11/93	04:23:47A	
04:24:56A	11:56:24P		03:25:47A		
			03:25:13P	06/23/93	
05/16/93	05/27/93		06/12/93	04:54:02A	
04:24:04A	02:27:31A			12:54:28P	
09:52:37A	06:24:01A		01:56:20A		

Notary Signature

Date

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WTVE • Reading Broadcasting, Inc.

This is to certify that WTVE-TV51 aired the following Public Service Announcement at the below dates and times:

Title: HOUSE NUMBER Length: :30

05/01/93

01:23:25A

08:23:47P

05/02/93

01:23:26A

05/04/93

02:23:26A

05/05/93

02:22:42A

05/06/93

01:23:24A

11:54:00P

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Notary Signature

Date

ISSUES AND PROGRAMS REPORT

THIRD QUARTER

1993

WTVE-TV 51

1729 NORTH ELEVENTH STREET

READING, PENNSYLVANIA 19604

COMPILED BY:

GEORGE MATTMILLER

OCTOBER, 1993

21). ISSUE: SAFETY

National Council on Fireworks Safety

This thirty-second Public Service Announcement stresses the importance of having adult supervision when setting off fireworks. The P.S.A. shows children enjoying a backyard fireworks display, but only when there are adults around. Safety tips such as having a bucket of water around are stressed. Everyone is urged to read all the labels and follow all the safety precautions before proceeding to use the fireworks.

-36.-

National Safety Council

The National Safety Council, in conjunction with the Environmental Protection Agency, produced this thirty-second Public Service Announcement alerting the viewership to the dangers of lead poisoning. The P.S.A. informs new parents about the dangers of lead paint. It shows a nursery in an old house with lead paint and a reporter on the television talking about where to call and write for more information.

National Fire Protection Association

Reggie Jackson is featured in this thirty-second Public Service Announcement explaining precautions in the event of a house fire and preventions. He says that for him, being "safe" always meant getting on base. Now it means how to protect one's house from fire. He shows the audience how to install a smoke detector, plan escape routes and place valuables in a safe. He urges everyone to "play it safe".

U.S. Department of Transportation

WTVE-TV 51 aired this thirty-second Public Service Announcement sponsored by the U.S. Department of Transportation in conjunction with the National Highway Traffic Safety Administration. The P.S.A., entitled "Unanswered Questions", warns about the consequences of driving too fast in general, specifically in residential areas.

Will Rogers Institute

Entitled "Home Fire Safety", this thirty-second Public Service Announcement was sponsored by the Will Rogers Institute and features Raven Symone and the Big Apple Circus giving the audience advice on ways to put out different kinds of home fires. It also urges parents to check the batteries in smoke detectors.

Kid's Korner - "Andy the Robot"-#3

WTVE-TV 51 welcomed about 25 youngsters into its studio facility for the taping of this three-minute Public Service segment aimed at children. A spokeswoman from TLC Ambulance Service, accompanied by "Andy the Robot", tells children how to correctly get help in the event of an emergency, specifically how to use the telephone to dial 911.

Kid's Korner - "Andy the Robot"-#4

As a part of its series alerting children to emergencies, WTVE-TV 51 had a studio audience of approximately 25 youngsters for the taping of this three-minute Public Service segment. Again, a spokeswoman from TLC Ambulance Service, accompanied by "Andy the Robot", tells children when and how to call an ambulance, and when an ambulance shouldn't be called.

Keystone Safety Belt Network

This award-winning, thirty-second Public Service Announcement, produced by WTVE-TV 51, promotes the benefit of wearing seat belts to save lives. A State Trooper approaches the site of an overturned car and talks about the accidents he's responded to, and how seat belts have helped to save lives - if they'd been worn. The P.S.A. urges motorists to wear seat belts, it's the law.

News to You - "Fire Escape"

WTVE-TV 51 edited and post-produced this three-minute Public Service segment in conjunction with the National Fire Protection Association. Stephen R. McInery, II of the Ft. Lauderdale Fire Department and former baseball star Reggie Jackson discuss ways to make the home safer by preparing for the eventuality of fires. They say to plan a safe exit route, get a fire-proof safe to protect valuables and never enter a building when it's on fire to collect valuables.

22). ISSUE: VETERAN'S CONCERNS

Paralyzed Veterans of America

Richard F. Johnson, President of the Paralyzed Veterans of America appears with Terry Grandison, Associate Legislative Director of the Paralyzed Veterans of America. The P.S.A., entitled "Spinal Cord Research", informs the viewer how the Paralyzed Veterans of America are helping to improve the lives of disabled people through research.

-39.-



WTVE • Reading Broadcasting, Inc.

This is to certify that WTVE-TV51 aired the following Public Service Announcement, at the following dates & times:

Title: FIREWORK SAFETY

Length: 30 seconds

07/01/93
02:22:55A

07/02/93
03:22:24A
03:27:56P

07/03/93
04:24:00A
08:46:48A

07/04/93
04:23:30A
08:47:15A
08:58:18A

07/05/93
03:25:01A
03:25:21P

07/10/93
04:21:22A
08:48:05A

07/11/93
04:24:00A

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WTVE • Reading Broadcasting, Inc.

This is to certify that WTVE-TV51 aired the following Public Service Announcement, at the following dates & times:

Title: FIREWORK SAFETY

Length: 6:25

07/04/93
19:55:00A

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WTVE • Reading Broadcasting, Inc.

This is to certify that WTVE-TV51 aired the following Public Service Announcement at the following dates & times:

Title: FIRE SAFETY Length: 30 seconds

07/01/93
02:24:55A
11:49:09P

07/02/93
04:56:26A

07/03/93
00:22:00A
09:54:29A

07/04/93
00:24:00A

07/05/93
04:54:50A

07/06/93
03:25:54A

07/07/93
00:24:38A
09:54:26P

07/09/93
01:24:43A
09:54:30P

07/10/93
00:23:18A
09:54:25A

07/12/93
00:24:20A
09:54:10P

07/13/93
02:25:31A

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WTVE • Reading Broadcasting, Inc.

This is to certify that WTVE-TV51 aired the following Public Service Announcement at the following dates & times:

Title: FIRE SAFETY

Length: 30 seconds

07/27/93	08/05/93	08/15/93	08/27/93	08:26:32A	05:55:14A
04:19:31A	05:55:11A	02:23:39A	10:56:10A		10:54:10P
10:21:26P	02:20:55P	05:26:00P		09/08/93	
			08/28/93	01:55:47A	09/18/93
07/28/93	08/06/93	08/16/93	03:25:30A	08:25:40A	05:24:17A
04:23:50A	02:25:54A	01:22:01A			02:52:30P
10:24:31P	01:24:01P	07:55:01A	08/29/93	09/09/93	
		05:21:15P	03:26:01A	02:24:39A	09/19/93
07/29/93	08/07/93	11:25:30P	11:56:30P	10:26:00P	05:21:11A
04:21:25A	02:21:32A				06:41:00A
08:22:12P	07:50:43P	08/17/93	08/30/93	09/10/93	02:46:00P
10:24:43P		01:56:10A	10:55:56A	02:26:18A	
	08/08/93	07:56:31A		03:22:09A	09/20/93
07/30/93	02:22:31A		08/31/93	10:53:40P	01:25:14A
02:21:29A	08:46:30A	08/18/93	00:23:43A		05:56:00A
05:21:10P	07:55:07P	01:24:19A	10:54:36A	09/11/93	10:56:44P
				05:24:18A	
07/31/93	08/09/93	08/19/93	09/01/93	02:48:50P	09/21/93
00:25:45A	02:21:22A	00:25:49A	00:24:00A		03:21:48A
06:25:02A	01:25:30P	07:52:45A	04:50:31A	09/12/93	10:48:22P
11:26:00A		12:25:33P		05:24:18A	
10:46:06P	08/10/93		09/02/93	06:27:12A	
	03:25:13A	08/20/93	00:20:25A		
08/01/93	03:20:33P	05:23:15A	04:56:27A	09/13/93	
00:21:52A				02:25:32A	
05:56:27A	08/11/93	08/21/93	09/03/93	03:25:18A	
06:26:28A	01:25:56A	04:24:04A	01:54:38A	10:48:17P	
08:46:33A	06:22:47A	03:22:20P	08:23:40A		
10:55:30P	07:46:33P			09/14/93	
		08/22/93	09/04/93	02:26:16A	
08/02/93	08/12/93	04:21:58A	03:25:00A	03:26:15A	
02:25:14A	00:25:00A	03:20:23P	07:25:49A	10:56:44P	
05:20:38P	05:25:58A				
	01:21:25P	08/23/93	09/05/93	09/15/93	
08/03/93		00:22:55A	03:25:19A	02:23:51A	
02:25:47A	08/13/93	05:22:59A	08:40:20A	03:25:09A	
04:25:25P	01:22:45A	11:23:40A		10:56:01P	
	07:56:27A		09/06/93		
08/04/93	05:26:10P	08/24/93	01:56:48A	09/16/93	
05:53:51A	11:26:00P	03:25:00A	05:19:07A	01:25:05A	
02:21:09P		10:58:18P	08:25:41A	05:56:44A	
	08/14/93			10:50:00P	
	01:25:27A	08/25/93	09/07/93		
	02:26:00A	03:26:34A	01:56:05A	09/17/93	
	05:23:01A	11:27:28P	05:23:17A	01:25:06A	

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WTVE • Reading Broadcasting, Inc.

This is to certify that WTVE-TV51 aired the following Public Service Announcement at the following dates & times:

Title: NEWS TO YOU "FIRE ESCAPE" Length:

08/10/93	08/22/93	09/04/93	09/17/93
01:22:19P	06:54:35A	06:19:53A	11:20:20A
04:18:44P	04:18:44P	06:22:08P	09:22:30P
08/11/93			
10:21:10A	08/23/93	09/05/93	09/18/93
09:24:00P	05:22:22P	06:23:48A	10:22:15A
		06:20:40P	07:23:30P
08/12/93	08/24/93		
10:21:40A	01:19:11P	09/06/93	09/19/93
06:21:57P		09:21:20A	07:20:30P
	08/25/93		
08/13/93	08:25:20A	09/07/93	09/20/93
09:18:37A	09:24:46P	09:20:45A	11:22:59A
02:22:20P			09:22:43P
	08/26/93	09/08/93	
08/14/93	07:22:58A	09:21:00A	
10:20:30A	04:24:00P		
		09/09/93	
08/15/93	08/27/93	07:23:13A	
06:57:28A	05:21:00P	06:21:30P	
	08/28/93	09/10/93	
08/16/93	10:24:27A	09:23:10P	
09:23:26A			
	08/29/93	09/11/93	
08/17/93	06:22:10P	11:23:10A	
06:20:56A		07:18:44P	
06:19:01P	08/30/93		
	05:20:52P	09/12/93	
08/18/93		07:22:50P	
03:22:18P	08/31/93		
	03:22:20P	09/13/93	
08/19/93		09:23:05P	
09:20:40A	09/01/93		
	08:19:00A	09/14/93	
08/20/93	06:18:04P	08:21:40A	
05:19:00P		09:20:25P	
	09/02/03		
08/21/93	08:20:38A	09/15/93	
07:22:10A	06:18:20P	10:22:19A	
04:22:30P		05:22:01P	
	09/03/93		
	09:20:35A	09/16/93	
		11:23:30A	
		09:22:31P	

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**Exhibit 40 DEPOSITION OF MICHAEL O'PAKE
OCTOBER 29, 1999, 2:05 P.M.**

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re: Applications of : MM Docket No. 99-153
READING BROADCASTING, INC. :
For Renewal of License of : File No. BPCT-940407KF
Station WTVE (TV), Channel :
51, Reading, Pennsylvania :
and : File No. BPCT-940630KG
ADAMS COMMUNICATIONS :
CORPORATION :
For Construction Permit for :
a New Television Station :
to Operate on Channel 51, :
Reading, Pennsylvania :

DEPONENT: MICHAEL A. O'PAKE

DATE AND TIME: Friday, October 29, 1999
at 2:05 p.m.

LOCATION: Comfort Inn
2200 Stacy Drive
Reading, Pennsylvania

Berks Court Reporting Service
By: Lori A. Dilks, RPR
12 Pacific Avenue
Sinking Spring, Pennsylvania
(610) 678-9984

COPY

APPEARANCES:

HOLLAND & KNIGHT, LLP

By: Thomas J. Hutton, Esquire

2100 Pennsylvania Avenue, N.W.

Suite 400

Washington, D.C. 10037-5564

Representing Reading Broadcasting, Inc.

BECHTEL & COLE, CHARTERED

By: Gene A. Bechtel, Esquire

1901 L Street, N.W., Suite 250

Washington, D.C. 10036

Representing Adams Communications

STIPULATION: It has been stipulated by and between counsel that they waive the sealing of the transcribed testimony by the witness, and the filing of the original with the Court, and all objections, except as to form, until the time of trial.

I N D E X

<u>WITNESS</u>	<u>EXAMINED BY</u>	<u>PAGE</u>
Michael A. O'Pake	Mr. Bechtel	3
	Mr. Hutton	5

EXHIBITS

<u>NUMBER</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
O'Pake 1	Notice of Deposition	3
O'Pake 2	Subpoena	3
O'Pake 3	Issues and Programs Report	7

P R O C E E D I N G S

MICHAEL A. O'PAKE

was called as a witness and, having been first duly sworn by the Reporter-Notary Public, was examined and testified as follows:

(Whereupon, the Reporter marked the following exhibits for identification: O'Pake Exhibit No. 1, Notice of Deposition; and O'Pake Exhibit No. 2, Subpoena.)

BY MR. BECHTEL:

Q. We've marked as Exhibit No. 1 a copy of the Notice to Take Deposition which I believe you received in the mail.

A. Yes, I did.

Q. And Exhibit 2 is a copy of the Subpoena which you have in front of you.

A. Yes.

Q. Do you have any documents that are identified in the Subpoena?

A. I do not.

Q. My name is Gene Bechtel. I'm counsel for Adams Communications Corporation. This is Mr. Hutton, counsel for Reading Broadcasting Company.

If my questions are unclear, please say so.
If Mr. Hutton interjects after I ask you a question,

1 allow us to chat. And if you need a break, let us know,
2 although history tells us that this is not going to take
3 very long.

4 And with that, a couple of very quick
5 questions. How long have you lived in the Reading area?

6 A. All my life, since February, 1940.

7 Q. The time frame we're interested in is 1989
8 to 1994, to be precise, August of '89 to '94. And if it
9 helps, this is the time frame when Channel 51 was an
10 affiliate of the Home Shopping Network.

11 A. Okay.

12 Q. During that period of time, did you have a
13 TV set in your home?

14 A. Yes.

15 Q. Quantify the approximate amount of TV
16 viewing you did and the kind of programs that you were
17 interested in, if you will.

18 A. In that period of time?

19 Q. During that time period.

20 A. Mostly news, some late night talk shows,
21 public service things. I don't --

22 Q. When you do --

23 A -- watch a whole lot of TV, though.

24 Q. I apologize. I shouldn't do that. When
25 your interest turned to news, if you wanted local news

1 on television, what station or stations would you look
2 at?

3 A. From '89 to '94, well, that would have had
4 to be Philadelphia and Lancaster, Channel 3, 6, 8 and
5 10.

6 MR. BECHTEL: At this point I'm going to
7 turn you over to Mr. Hutton who has an exhibit that
8 focuses precisely the questions that we want to ask.

9 MR. HUTTON: Well, I'm not sure I have the
10 exhibit, but let me ask a few questions.

11 BY MR. HUTTON:

12 Q. During that time period did you have
13 occasion to watch Channel 51?

14 A. If it was Home Shopping, not really. I
15 don't watch the Home Shopping channels.

16 Q. Are you familiar with any of the
17 programming of the station during that time period,
18 putting the Home Shopping aside?

19 A. I remember that during some period of time
20 Channel 51 used to air the half-hour report to the
21 people, which I film. But I don't remember when -- what
22 time period that was.

23 We do a half-hour public service type show
24 every month. It's called Report to the People. And we
25 report to the people of Berks County the legislative

1 happenings from Harrisburg. We make it available, and I
2 know there was some period of time -- but I have no way
3 of remembering or tracking that -- that Channel 51 used
4 to air them.

5 They have also interviewed me for different
6 news stories on occasion. I remember doing programs on
7 senior citizens, child abuse, the drought -- that was
8 just this summer. But we don't keep a record of when
9 they were, and I can't recall whether they were in that
10 time period or not.

11 Q. And Report to the People is produced in
12 Harrisburg, I take it?

13 A. Yes, it is.

14 Q. And are you aware of other state
15 legislators from this area producing similar shows?

16 A. I think they all do now. Originally, back
17 to that period, I'm not sure who else did it. I know
18 I've been doing it for a long time. Now every state
19 senator and legislator in Berks County has a one-half
20 hour show.

21 Q. And have you been a guest on any of those
22 other legislator's shows from time to time?

23 A. No.

24 Q. Are you familiar with a program that the
25 station has aired called Minutes with the Mayor?

18

1 A. Not really. Although, since you bring it
2 up, they've done minutes with me. Frank McCracken
3 interviewed me a couple of times, and then there was
4 another man -- and I don't remember his name -- who
5 interviewed me, and I think they called it something
6 like that and ran bites, you know, segments of it. But
7 I don't remember when that was. It was not within the
8 last -- it was not during 1999.

19

9 Minutes with the Mayor would have been, I
10 assume, with the mayor. And I think it was when
11 McCracken was a Councilman, and that's probably back at
12 least three years ago, perhaps longer.

13 MR. HUTTON: I would like to have this
14 marked as Exhibit 3 to his deposition.

15 (Whereupon, the Reporter marked O'Pake
16 Exhibit No. 3 for identification, Issues and Programs
17 Report.)

18 BY MR. HUTTON:

19 Q. If you would refer to that, this is an
20 excerpt from one of TV 51's quarterly issues and
21 programs reports, and this relates to the third quarter
22 of 1994. Item No. 42 makes reference to a For The
23 People Program hosted by Frank McCracken. Is that the
24 program you're referring to?

25 A. Yes. That's the time.

1 Q. And is the narrative description appearing
2 there in Item 42 consistent with your recollection of
3 those events?

4 A. Well, as it relates to me, yes. I did come
5 into the studio and several times taped, what you call,
6 For The People public service segments. They were
7 several minutes in length, and they usually focused on
8 an issue that was important at the time in the
9 community, and it was hosted by Councilman McCracken. I
10 just didn't recall what years that was.

11 MR. HUTTON: I don't think I have anything
12 further.

13 MR. BECHTEL: Senator, it has been a
14 privilege to meet you.

15 (Whereupon, the deposition concluded at
16 2:15 o'clock p.m.)

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1 I have read my deposition and it is true and
2 correct except for any corrections listed on the
3 attached Errata Sheet, which I have also signed.
4
5
6

7 DATE: _____
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11 _____

12 MICHAEL A. O'PAKE
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READING EXHIBIT 40
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